Charter of the Town of Walpole, Mass. contained in Chapter 377 of the Acts of 1924 of the General Court of Massachusetts, and By-Laws of the Town of Walpole, adopted by the Town March 22, 1926.

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CHARTER OF THE TOWN OF WALPOLE, MASS., CONTAINED IN CHAPTER 377 OF THE ACTS OF 1924 OF THE GENERAL COURT OF MASSACHUSETTS, AND BY-LAWS OF THE TOWN OF WALPOLE, MASS., ADOPTED BY THE TOWN MARCH 22, 1926.

AN ACT TO CHANGE THE TIME OF HOLDING THE ANNUAL MEETING OF THE TOWN OF WALPOLE, TO ENLARGE THE POWERS AND DUTIES OF THE SELECTMEN, TO ABOLISH CERTAIN OFFICES AND TO PROVIDE FOR THE ADMINISTRATION OF TOWN AFFAIRS.

Be it enacted, etc., as follows:

ANNUAL TOWN MEETING.

SECTION 1. The annual town meeting of the town of Walpole shall be held on the third Monday of January, beginning with the year nineteen hundred and twenty-five. All matters to be considered at the annual town meeting, except the election of officers and other matters required by law to be determined by ballot, shall be considered at an adjournment thereof, to be held on the second Monday of February following at half past seven o'clock in the evening. If the business of the adjourned meeting shall not be completed at half past ten o'clock in the evening, the meeting shall be again adjourned to the following Monday at half past seven o'clock in the evening. Any further adjournments shall be in accordance with general law.

SELECTMEN, ELECTION, TERMS, VACANCIES.

SECTION 2. At the first annual meeting following the acceptance of this act and annually thereafter, the voters shall elect by ballot five selectmen who shall serve until their successors are elected and qualified. If a vacancy

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or vacancies occur in the membership of the selectmen, the remaining members shall call a special town meeting to fill the vacancy or vacancies for the unexpired term or terms, except that if such vacancy or vacancies occur less than three months prior to the next annual meeting and at least three selectmen remain in office, such vacancy or vacancies shall remain unfilled until such annual meeting.

SELECTMEN TO BE LAWFUL SUCCESSORS OF CERTAIN OFFICERS.

SECTION 3. Upon the election and qualification of the selectmen as provided in section two, all the powers, rights, duties and liabilities conferred or imposed by law upon the water commissioners, park commissioners, surveyors of highways, overseers of the poor, board of health and tree warden shall be transferred to and conferred and imposed upon the selectmen, subject to the provisions of this act, and the said offices shall be abolished.

The aforesaid transfer of rights, powers, duties and liabilities shall not affect any liability incurred, contract made, fine, special assessment, rate, penalty, forfeiture or tax imposed before such transfer, nor any suit or other proceeding pending, and the selectmen shall in all respects and for all purposes whatsoever be the lawful successors of the officers and boards whose powers and duties are hereby transferred to and conferred and imposed upon them.

TOWN CLERK.

SECTION 4. The selectmen shall appoint, as soon as practicable, a person suitably qualified to the office of town clerk. The existing elective office of town clerk shall be continued until the person appointed to said office of town clerk shall have qualified, at which time the elective office of town clerk shall cease and determine. The town clerk shall enjoy all the powers and rights and be subject to all the duties and liabilities which are now or may hereafter be conferred or imposed by law upon town clerks. He shall hold office during the pleasure of the selectmen and shall be sworn to the faithful performance of his duties by the chairman of the selectmen or by a justice of the peace.

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TOWN ACCOUNTANT.

SECTION 5. The selectmen elected as provided in section two shall appoint, as soon as practicable, a person suitably qualified to the office of town accountant, who shall enjoy all the powers and rights and be subject to all the duties and liabilities which are now or may hereafter be conferred or imposed by law upon town accountants. Said officer shall hold office for three years from the date of his appointment and until his successor is qualified, except as is herein otherwise provided. He shall be sworn to the faithful performance of his duties by the chairman of the selectmen or by a justice of the peace. In case of a vacancy in said office of town accountant the selectmen forthwith shall fill the vacancy for the unexpired term. The offices of town clerk and town accountant may be held by the same person.

BOARD OF RELIEF.

SECTION 6. The selectmen shall appoint a board of three persons, to be known as the board of relief, who shall be residents of the town and, except as hereinafter provided, shall hold no elective office in the town. The members of said board shall hold office at the pleasure of the selectmen, and subject to the direction and supervision of the selectmen shall exercise the powers and perform the duties of overseers of the poor of said town. The selectmen may appoint one or more of their own number as a member or members of said board of relief.

LEGAL AFFAIRS.

SECTION 7. The selectmen shall annually appoint an attorney-at-law to act as town counsel, who shall be paid such salary as the town may by vote determine.

The selectmen shall have authority to prosecute, defend and compromise all litigation to which the town is a party and to employ special counsel to assist the town counsel whenever in their judgment necessity therefor arises.

Whenever it shall be necessary to execute any deed conveying land, or any other instrument required to carry into

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effect any vote of the town, the same shall be executed by the treasurer on behalf of the town unless the town shall vote otherwise.

TOWN ENGINEER, APPOINTMENT, TERM, POWERS, DUTIES.

SECTION 8. The selectmen shall appoint, as soon as practicable, a town engineer who, except as provided otherwise in this act, shall be the administrative head of all departments of the town government, the conduct of which is by the general laws and by this act placed upon the selectmen of the town. The town engineer shall be subject to the direction and supervision, and shall hold office at the will of the selectmen, and shall be a person specially fitted by education, training and experience to perform the duties of said office. He shall be appointed without regard to his political belief, and he may or may not, when appointed, be a resident of the town or state. He shall be responsible for the efficient administration of all departments under his control. Before entering upon the duties of his office, the town engineer shall be sworn to the faithful and impartial performance thereof by the chairman of the selectmen, or by the town clerk or by a justice of the peace. He shall execute a surety company bond in favor of the town for the faithful performance of his duties in such sum as may be fixed by the selectmen.

POWERS AND DUTIES OF TOWN ENGINEER.

SECTION 9. The powers and duties of the town engineer shall include the following:

To organize, continue or discontinue such divisions or departments from time to time as may be determined by vote of the selectmen, or, in the absence of such vote, as he shall determine to be required for the efficient conduct of his office.

To appoint upon merit and fitness alone and, except as herein otherwise provided, to remove all superintendents or chiefs of departments and all subordinate officers and employees in such departments, and to fix all salaries and

wages of all subordinates and employees, subject to law. Superintendents or chiefs of departments shall be removed by the town engineer only upon five days' notice in writing which shall state the cause of his removal.

To exercise control over all such departments or divisions created, or that may hereafter be created and made subject to his supervision.

To attend all regular meetings of the selectmen, and to recommend to the selectmen for adoption such measures requiring action by them or by the town as he may deem necessary or expedient.

To keep full and complete records of the doings of his office, and to render as often as may be required by the selectmen a full report of all operations during the period reported on; and annually, or oftener if required by the selectmen, to make a synopsis of all reports for publication.

To keep the selectmen fully advised as to the needs of the town within the scope of his duties, and to furnish the selectmen on or before the thirty-first day of December of each year with a detailed list in writing of the appropriations required during the next fiscal year for the proper conduct of all departments of the town under his control.

Except as provided in section fifteen, to keep in repair all the town buildings, under the supervision of the selectmen.

Except as provided in section fifteen, to purchase all supplies and materials for all departments of the town under control of the selectmen. He shall, however, purchase educational supplies upon the request of the school committee accompanied by a proper requisition therefor.

To administer the health regulations of the town as required by the by-laws, or as made by the selectmen, in addition to those provided by statute, either directly or through a person appointed by him, to be designated as the health officer, and who under the supervision of the selectmen shall exercise the powers and perform the duties of a board of health.

Subject to the approval of the state department of conservation, to act as local superintendent for the suppression of gypsy and brown tail moths with the powers and duties

now or hereafter provided by law with respect to said office.

To perform such other duties, consistent with his office, as may be required of him by the by-laws of the town or by vote of the selectmen.

EXAMINATION OF THE CONDUCT OF CERTAIN DEPARTMENTS AND OFFICERS.

SECTION 10. The town engineer may without notice cause the affairs of any division or department under his control, or the conduct of any officer or employee thereof, to be examined. The town engineer or any person or persons appointed by him to examine the affairs of any such department or the conduct of any such officer or employee shall have the same power to compel the attendance of witnesses and the production of books and papers and other evidence, and to cause the witnesses to be sworn and to be punished for contempt as is conferred by law upon the selectmen. The town engineer shall have access to all town books and papers for information necessary for the proper performance of his duties.

REMOVAL OF TOWN ENGINEER.

SECTION 11. The selectmen, by a majority vote, may remove the town engineer by filing a written statement with the town clerk setting forth in detail the specific reasons for his removal, a copy of which statement shall be delivered to the town engineer. Such removal shall not take effect until the expiration of five days from the filing of such statement with the town clerk; but if so recited in the statement the town engineer shall be suspended from office forthwith. If the town engineer so requests within said five day period, a public hearing shall be given to him by the selectmen, and in such event the removal of the town engineer shall not take effect until a written decision following the hearing and providing for removal shall have been filed with the town clerk. Such decision by a majority of the selectmen shall be final.

VACANCY.

SECTION 12. Any vacancy in the office of town engineer shall be filled as soon as possible by the selectmen. Pending the appointment of a town engineer or the filling of any vacancy, the selectmen may appoint a person to perform temporarily the duties of the office.

POLICE DEPARTMENT.

SECTION 13. The board of selectmen shall establish a police department as herein provided. They shall appoint a chief of police and such other police officers as they may deem necessary, and shall fix their compensation.

Police officers may be removed at pleasure by the selectmen, except that the tenure of office of police officers including the chief of police shall, after they have served three continuous years, continue during good behavior as long as they are able to perform the duties of their office and such officers shall not be removed except after a hearing by the selectmen on written charges, a copy of which shall be furnished to them not less than seven days prior to the hearing.

The chief of police shall be in immediate control of all town property used by the police department, and of the police officers who shall obey his orders.

The selectmen shall make suitable regulations governing the organization of the police department and the officers thereof.

CONSTABLES.

SECTION 14. The selectmen shall annually in February, beginning with the year nineteen hundred and twenty-five, appoint three constables, each for the term of one year from the following first day of March; and may at any time appoint as many additional constables as, in their opinion, may be necessary, who shall hold office at the pleasure of the selectmen. Upon the qualification of constables appointed for fixed terms under the provisions of this section, the existing elective offices of constables shall terminate.

FIRE DEPARTMENT.

SECTION 15. The selectmen shall establish, as herein provided, a fire department to be under the control of an officer to be known as the chief of the fire department. The chief shall be appointed by the selectmen and shall hold office during good behavior, and shall receive such salary as the selectmen may from time to time determine, not exceeding in the aggregate the amount annually appropriated therefor. He may be removed for cause by the selectmen at any time after a hearing. He shall have charge of extinguishing fires in the town and the protection of life and property in case of fire. Subject to the approval of the selectmen and except as provided in section nine, he shall purchase and keep in repair all property and apparatus used for and by the fire department. He shall have and exercise all the powers and discharge all the duties conferred or imposed by statute upon fire engineers in towns except as herein provided and shall appoint a deputy chief and such officers and firemen as he may think necessary, subject to the approval of the selectmen, and may remove the same at any time for cause and after a hearing. Except as otherwise provided herein, he shall have full and absolute authority in the administration of the department, shall make all rules and regulations for its operation, shall report to the selectmen from time to time as they may require, and shall annually report to the town the condition of the department with his recommendations thereon; he shall fix the compensation of the permanent and call members of the fire department, subject to the approval of the selectmen. In the expenditure of money the chief shall be subject to such further limitations as the town may from time to time prescribe. The chief shall act as forest warden and shall have authority to appoint deputy wardens and fix their compensation subject to the approval of the selectmen.

SALARIES.

SECTION 16. The town engineer, the town clerk and the town accountant shall each receive such salary subject to

the appropriation available therefor as may be fixed by the selectmen, unless otherwise specifically voted by the town.

CERTAIN TOWN OFFICERS NOT TO MAKE CONTRACTS WITH THE TOWN, ETC.

SECTION 17. It shall be unlawful for any selectman, any assessor, the treasurer, the collector of taxes, the town engineer, any member of the school committee, any trustee of the public library, any member of the planning board or any other elective or appointive official except as otherwise provided by law, directly or indirectly to make a contract with the town, or to receive any commission, discount, bonus, gift, contribution or reward from, or any share in the profits of, any person or corporation making or performing such a contract, unless such member, officer or employee immediately upon learning of the existence of such contract, or that such contract is proposed, shall notify the selectmen in writing of the contract and of the nature of his interest therein and shall abstain from doing any official act on behalf of the town in reference thereto. In case such interest exists on the part of an officer whose duty it is to make such a contract on behalf of the town, the contract may be made by another officer or person of the town duly authorized thereto by vote of the town. A violation of any provision of this section shall render the contract in respect to which such violation occurs voidable at the option of the town. Any person violating any provision of this section shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than one year, or both.

SUBMISSION OF ACT AND TIME OF TAKING EFFECT.

SECTION 18. This act shall be submitted to the qualified voters of the town of Walpole for acceptance at a special election which shall be called by the selectmen on or before December first, nineteen hundred and twenty-four.

The vote shall be taken by ballot in answer to the following question, which shall be printed on the official ballot: "Shall an act passed by the general court in the year

nineteen hundred and twenty-four, entitled 'An Act to change the time of holding the annual meeting of the town of Walpole, to enlarge the powers and duties of the selectmen, to abolish certain offices and to provide for the administration of town affairs' be accepted?'' If this act shall be so accepted by a majority of the qualified voters voting thereon, it shall take effect for the purposes of the next annual meeting, which shall be held on the third Monday of January in the year nineteen hundred and twenty-five, and for all things that pertain to said election, and shall take full effect upon the election and qualification of the selectmen, except as herein provided. Appointees of the officers and boards abolished and consolidated by this act shall continue to draw compensation at the same rate and to exercise like powers, authority and jurisdiction as theretofore until other provision is made.

DUTIES OF CERTAIN TOWN OFFICIALS RELATIVE TO THE FIRST ANNUAL ELECTION AFTER ACCEPTANCE.

SECTION 19. It shall be the duty of the selectmen and the town clerk in office and any other town official upon whom by reason of his office a duty devolves by the provisions of this act, when this act is accepted by the qualified voters as herein provided, to comply with all the requirements of this act relating to elections, to the end that all things may be done necessary for the nomination and election of the officers first to be elected under this act.

BY-LAWS, RULES, ETC.

SECTION 20. All laws, by-laws, rules and regulations in force in the town of Walpole when this act takes effect, not inconsistent with its provisions, whether enacted by authority of the town or any other authority, shall continue in full force and effect until otherwise provided by law, by-law or vote; all other laws, by-laws, rules and regulations, so far as they refer to the town of Walpole, are hereby repealed and annulled, but such repeal shall not revive any pre-existing enactment.

REVOCATION OF ACCEPTANCE.

SECTION 21. At any time after the expiration of four years and within six years from the date on which this act is accepted, and not less than ninety days before the date of an annual meeting, a petition, signed by not less than twenty per cent of the registered voters of the town, may be filed with the selectmen, requesting that the question of revoking the acceptance of this act be submitted to the voters. Thereupon the selectmen shall call a town meeting to be held at a date not later than forty-five days after the filing of the petition, but not between the first day of June and the first Tuesday of September, both dates inclusive. At such meeting the vote shall be taken in answer to the following question which shall be printed on the official ballot: "Shall the acceptance by the town of Walpole of an act passed by the general court in the year nineteen hundred and twenty-four, entitled 'An Act to change the time of holding the annual meeting of the town of Walpole, to enlarge the powers and duties of the selectmen, to abolish certain offices and to provide for the administration of town affairs' be revoked?" If such revocation is favored by a majority of the voters voting thereon by ballot, the acceptance of this act shall be revoked and this act shall become null and void beginning with the annual town meeting next following such vote, which meeting shall be held at such time, in conformity with general law, as may be determined by vote of the town; provided, that all town officers holding office under this act shall continue to hold office until their successors have been duly qualified. The said revocation shall not affect any contract then existing or any action at law or suit in equity or other proceeding then pending. Any special laws relative to said town which are repealed by this act shall be revived by such revocation. Any by-law in force when such revocation takes effect, so far as consistent with general laws respecting town government and town officers and with said special laws, shall not be affected thereby.

EFFECT OF PASSAGE.

SECTION 22. So much of this act as authorizes the submission of the question of its acceptance to the qualified voters of said town shall take effect upon its passage.

Approved May 20, 1924.

BY-LAWS OF THE TOWN OF WALPOLE, MASS.

ARTICLE I.

TOWN MEETING.

SECTION 1. Notice of every town meeting shall be given by posting attested copies of the warrant calling the same, in at least two public places in each precinct, not less than seven days before the day appointed for such meeting.

SECTION 2. Notice of every adjourned town meeting shall be posted by the town clerk in not less than ten public places in the town, and shall, if time permits, be advertised in a newspaper published in Walpole, if any, as soon as practicable after the adjournment, stating briefly the business to come before such adjourned meeting.

ARTICLE II.

SECTION 1. At the annual town meeting held March 5, 1923, after the closing of the polls and the choice of all town officers, or in event of failure to elect, before any adjournment of said meeting, all or any of the articles of the warrant calling for an appropriation of $200.00 or more, shall be referred to a committee of fifteen legal voters to be appointed by the moderator and known as the Appropriation Committee.

SECTION 2. Said committee to be appointed as follows: five members for a term of one year, five members for a term of two years, and five members for a term of three years, and at the close of each annual meeting thereafter, the moderator shall appoint their successors for a term of three years.

Said committee shall act and report upon any articles of the warrant for the annual town meeting in the year 1923 and thereafter shall act and report upon articles of the warrant for any special or regular town meeting previous to the date thereof.

SECTION 3. It shall be the duty of said appropriation committee to consider all the articles of the warrant or warrants referred to it and make report thereon in writing, with its estimates and recommendations for the final action of the town, at the first adjournment of the annual meeting in 1923, and as soon as practicable before each special or regular meeting thereafter, unless otherwise directed by such meetings. Said committee shall also act as an advisory committee for the town.

SECTION 4. The moderator shall call said committee together for organization as soon as practicable after the appointment thereof, and in the event of his disability or failure to do so, any member of the committee may do so. Said committee shall organize by the choice of a chairman and secretary and shall cause to be kept a true record of its proceedings.

SECTION 5. The selectmen, with the approval of the chairman of said appropriation committee, shall provide a suitable place in which to hold its various meetings. The moderator shall fill any vacancy which may occur in its membership by death, resignation, removal from town, or other cause and said committee shall meet from time to time as it or the chairman may deem advisable.

SECTION 6. Said appropriation committee may require the various officers and boards of the town to appear before it at such time and place as said committee may appoint, for information and conference upon the matters referred to said committee and it shall be the duty of said officers and boards to appear before said committee at the times and places named; provided, however, any information may be withheld when in the opinion of said boards or officers the communication thereof might injuriously affect the interests of the town.

SECTION 7. It shall be the duty of the town clerk to immediately notify in writing all members of committees, including the appropriation committee, that may be elected or appointed at any town meeting, stating the name of the committee and the business upon which they are to perform.

SECTION 8. It shall be the duty of the member designated as chairman or first named of any other committee

chosen by the town to promptly call the members thereof together for organization.

SECTION 9. It shall be the duty of all committees appointed prior to the annual town meeting to make report at said meeting, unless otherwise directed, upon matters referred to them.

ARTICLE III.

FINANCIAL AFFAIRS.

SECTION 1. The financial year shall begin with the first day of January in each year and end with the last day of December following.

SECTION 2. It shall be the duty of the board of selectmen to take charge of the bonds of the town treasurer and collector of taxes and deposit them in a safe place.

SECTION 3. No bill, charge or account against the town shall be paid without the approval, in writing, first obtained of the person, persons, board or committee contracting the same.

SECTION 4. No town officer having control of the expenditure of the public money shall incur any debt or obligation on account of the town in any department beyond the amount appropriated therefor by the town, except as provided in section 6. No order or warrant shall be drawn by the board of selectmen or other boards upon the treasurer without an appropriation by vote of the town, nor against any appropriation in excess of the same, except that such payments may be made as are required to protect the town where it may be liable in actions at law for damages and as provided in section 6.

SECTION 5. Any portion of any appropriation remaining unexpended at the close of the financial year shall revert to the town treasury, unless otherwise provided by law.

SECTION 6. During the interval between the thirty-first day of December in each year and the time of making the necessary annual appropriations, the various town officers, in order to meet the liabilities of their several departments incurred in carrying on the business of the town, shall have authority to make expenditures and payments from

the town treasury from any available funds therein, and the same shall be charged against the next annual appropriation: but no such expenditure shall be made or any such liability incurred for any purpose beyond the absolute needs of the town.

ARTICLE IV.

LEGAL AFFAIRS.

SECTION 1. The town counsel shall draft all bonds, leases, obligations, conveyances and other legal instruments, advise on all questions relating to the warrants for town meetings, and do every professional act relating to town affairs which may be required of him, by vote of the town or any board of town officers. Also, when required by said boards or any committee of the town, he shall furnish a written opinion on any legal question that may be submitted in writing to him, and he shall at all times furnish legal advice to any officer of the town who may require his opinion upon any subject concerning the duties incumbent upon such officer by virtue of his office. He shall, when required by the town officers, prosecute any suits ordered to be brought by the town, and shall appear at any court in the Commonwealth in defence of any action or suits brought against the town or its officers, in their official capacity. He shall also, whenever his services may be required, try and argue any and all cases, whether in law or equity, to which the town shall be a party before any tribunal in the Commonwealth, or before any board of referees or commissioners, and appear at any and all hearings in behalf of the town.

SECTION 2. The town clerk shall have the custody of the town seal and shall keep a true copy (in a book to be kept for such purpose alone) of all deeds or conveyances executed in behalf of the town by any town officer. It shall be the duty of the town clerk to see that every conveyance to the town of any interest in real estate is properly recorded in the Registry of Deeds.

ARTICLE V.

RECORDS AND REPORTS.

SECTION 1. All boards, standing committees and officers of the town, shall cause records of their doings and accounts to be kept in suitable books. Said books shall be kept in their respective places in the town offices, and shall not be removed therefrom. Said record books shall be open to the inspection of citizens of the town at any reasonable time, but shall remain during such inspection under the supervision of the board, committee or officer designated to keep charge thereof.

SECTION 2. All boards, standing committees, special committees or officers of the town having charge of the expenditure of money shall annually report thereon in writing in such manner as to give the citizens a fair and full understanding of the objects and methods of such expenditures, referring, however, to the report of the treasurer or town accountant for specific details, and shall make therein such recommendations as they deem proper.

SECTION 3. All reports shall be placed in the hands of the board of selectmen for printing and publishing as soon as possible, not later than the fifteenth day of January of each year.

SECTION 4. The board of selectmen shall annually cause to be distributed among the taxpayers of the town, the reports of the officers of the various departments and boards of the town, and reports upon such matters as directed by the town and these by-laws. They shall have the custody and supervision of the distribution of the same.

SECTION 5. The town clerk shall furnish for publication in the Annual Town Report an abstract of the official records of all town meetings held during the preceding year. He shall also furnish for the same purpose an abstract of the vital statistics for the preceding year.

SECTION 6. Whenever a town way is laid out or altered, a plan thereof shall be made and filed in the town clerk's office, with the location thereof, and it shall be the duty of the town clerk to keep a book of records for the sole

purpose of recording the location of all highways and town ways within the town, with an index thereto.

SECTION 7. Each quinquennial valuation of estates made by the assessors or an abstract thereof shall be printed and distributed to property owners who desire the same.

ARTICLE VI.

JUNK DEALERS AND COLLECTORS—LICENSES AND REGULATIONS.

SECTION 1. The selectmen may license suitable persons to be dealers in and keepers of shops for the purchase, sale, or barter of junk, old metals and second-hand articles in the town. They may license suitable persons as junk collectors to collect, by purchase, or otherwise, junk, old metals and second-hand articles from place to place in the town; and they may provide that such collectors shall display badges upon their persons or upon their vehicles, or upon both, when engaging in collecting, transporting, or dealing in junk, old metals, or second-hand articles, and may prescribe the design thereof. They may also provide that such shops and all articles of merchandise therein and any place, vehicle, or receptacle used for the collection or keeping of the article aforesaid, may be examined at all times by the chief of police or by any police officer by him authorized thereto.

SECTION 2. Every keeper of a shop, for the purchase, sale or barter of junk, old metal or second-hand articles, within the limits of the town, shall keep a book in which shall be written, at the time of every purchase of any such article, a description thereof, the name, age and residence of the person from whom, and the day and hour when such purchase was made; such book shall be at all times open to the inspection of the selectmen or any person by them authoriezd to make such inspection; and every keeper of such shop shall put, in a suitable and conspicuous place on his shop, a sign, having his name and occupation legibly inscribed thereon in large letters, and such shop and all articles of merchandise therein may be at all times examined by the chief of police or by any police officer by him

authorized to make such inspection; and every keeper of such shop and no junk collector shall, directly or indirectly, either purchase or receive by way of barter or exchange, any of the articles aforesaid of a minor or apprentice, knowing or having reason to believe him to be such; and no article purchased or received by such shopkeeper shall be sold until at least one week, from the date of its purchase or receipt, has elapsed. Such shop shall be closed between the hours of 6.00 p. m. and 7.00 a. m., and no keeper thereof and no junk collector shall purchase any of the articles aforesaid during such hours.

ARTICLE VII.

CONTRACTS BY TOWN OFFICERS.

SECTION 1. No town officer and no salaried employee of the town or any agent of any such officer or employee shall receive any compensation for work done or service performed by him for the town, except his official salary and fees allowed by law, without the permission of the board of selectmen or other board authorizing such work or service, expressed in a vote which shall appear on the records of such board with the reason therefor.

SECTION 2. When the estimated amount of the proposed contract exceeds $500, proposals shall be called for in the manner provided in this section. Such calls for proposals shall be advertised in a local newspaper, such publication to be at least seven days before the opening of the bids. The advertisement shall require such proposals to be sealed and properly designated and shall announce the place, day and hour at which they shall be opened. They shall be publicly opened in the presence of the board, committee or officer authorized by the town to make the contract. No bids shall be received after the time advertised for the opening. As far as practicable, contracts for less than $500 shall be awarded in such manner as to secure reasonable competition.

SECTION 3. Every contract exceeding $1,000 shall be accompanied by a suitable bond for the performance of the same, or by the deposit of money or security to the

amount of such bond if so requested by the officer or board authorized to make the contract.

ARTICLE VIII.

POLICE REGULATIONS.

SECTION 1. No owner or person having the care of any sheep, goats, swine, oxen, cows, horses or other grazing animals shall permit or suffer the same to go at large or to graze on any street, way, common, square or other public place within the town, nor permit any such animal to go upon any sidewalk therein except for the purpose of crossing the same.

SECTION 2. No person shall leave any vehicle or material or place any obstruction in any sidewalk, street or public place and suffer the same to remain there over night without maintaining a sufficient light and suitable guards over or near the same throughout the night, nor allow the same to remain after notice from a police officer of Walpole to remove the same.

SECTION 3. No person shall place or maintain over any sidewalk, any awning, shade, shade frame, canopy, sign or sign-board without a permit from the board of selectmen, but no such awning, shade, shade frame, canopy, sign or sign-board shall be less than seven feet from the ground in the lowest part nor extend beyond the line of the sidewalk and no sign that overhangs the sidewalk shall exceed three by five feet.

SECTION 4. No person shall, by any means or in any manner wilfully frighten any horse, or play at any game in which a ball is used, or shoot with bows and arrows, fly any kites, or throw stones or other missiles in any street or on any sidewalk.

SECTION 5. No person shall skate or coast upon any sled upon any sidewalk or any street or public place except at such times and upon such streets or places as the selectmen may, by public notice, designate for such purpose.

SECTION 6. No person shall discharge any gun, fowling piece, pistol, or firearm or set fire to any material known as fireworks, or other combustible matter, in any of the

public ways or streets of the town, or within one half a mile of the South Walpole Common, the Walpole Town Hall or East Walpole Square except on such occasions and of such character and kind as the chief of police may, by public notice, permit; provided, however, this section shall not apply to any person abating a nuisance or in the exercise of duty required or justified by law.

SECTION 7. No person, other than a duly authorized officer or employe, shall dig a trench or lay a pipe in or in any way disturb the earth or materials on, in or under any street or public way, without a permit in writing given by the town engineer upon application by said person made to said town engineer; and whenever such a permit is so issued, the person or persons to whom it shall be issued, shall, whenever a pipe, drain or any other structure is placed in, along or under such a street or public way, file with said town engineer a plan of the same, showing the location and elevation of such pipe, drain or other structure, said plan to be of such size and standard as said town engineer may require.

SECTION 8. No person shall behave in a rude, indecent, or disorderly manner, or use any indecent, profane or insulting language in any public place or in any street or sidewalk in the town or near any dwelling house or other building therein, or upon any doorstep, portico or other projection from any such house or other building to the annoyance or disturbance of any person; nor shall any person throw or drop in or upon any footpath, sidewalk or highway in the town any piece of wire, metal, mineral, nail or other material that might or would be a source of annoyance or danger to anyone lawfully passing over or using the same.

SECTION 9. Three or more persons shall not stand in a group or near each other on any public way or sidewalk in such a manner as to obstruct a free passage for pedestrians after a request to move on made by any police officer of Walpole.

SECTION 10. No owner or occupant of property shall permit any gate leading to premises abutting on any public way in the town to swing outwardly upon said public way.

SECTION 11. No person shall throw or deposit in any manner upon any public way, place or square in the town any article, substance or material which may prove injurious in any respect to the hoofs of animals, the tires of bicycles or the rubber tires of automobiles and other vehicles.

SECTION 12. No person shall distribute or deposit advertising circulars, papers or other matter on the streets of the town, or shall team manure, hay, rubbish, ashes, liquid or other material in such a manner as to litter, pollute, or injure the streets of the town nor shall any person throw or deposit in any street or on any sidewalk, ashes, dirt, rubbish or other refuse of any kind except in the manner provided by the Board of Health.

SECTION 13. No person shall cart or convey garbage, manure, rubbish, or filth of any kind nor any noxious or refuse liquid or solid matter or substance in any public street or place, except in such manner and at such times as the Board of Health by regulation or permit shall prescribe.

SECTION 14. No person shall, without authority from the chief of the fire department, open or interfere with a signal box, wire or anything connected with the fire alarm apparatus except in cases of fire.

SECTION 15. No person shall, without proper authority, extinguish, or remove any light placed to denote an obstruction or defect in a street or way.

SECTION 16. No person shall, without proper authority, intermeddle with or wilfully break or injure any hydrant, gate, gate-box, or water pipe placed or located within the limits of any public way or place in the town.

SECTION 17. No person shall, without proper authority, intermeddle with or wilfully break any arc lamp or lamp globe or incandescent lamp or any insulators or attachments used to carry wires within the limits of any public way or place in the town.

SECTION 18. No person shall make any indecent figures or write any indecent or obscene words upon any fence, building or structure in any public place, or commit a nuisance upon any sidewalk or against any tree, building or structure adjoining the same.

ARTICLE IX.

TRAFFIC RULES FOR THE TOWN OF WALPOLE.

SECTION 1. Every person having charge or control of an automobile or other vehicle upon a public street shall stop, place, change the position of or move such automobile or other vehicle as directed by a police officer of Walpole.

SECTION 2. Every person having charge or control of an automobile or other vehicle upon any public street shall comply with and obey the directions upon all signs, movable posts, or mechanical devices placed by the direction of the board of selectmen or by a police officer on or near such street, unless otherwise directed by a police officer of Walpole.

SECTION 3. All automobiles or other vehicles stopping in the business section must stand near the right hand curb facing to the right, at an angle of forty-five degrees, head in, unless it is necessary for the purpose of unloading or loading then to back up to the curb at the same angle. By the term "business section", is meant, from the corner of East and Main Streets to the corner of Main and Common Streets.

SECTION 4. The parking of all vehicles in the business section is limited to one hour, except in a space or place allotted or specified by the board of selectmen, where the parking time will be unlimited, such space or place to be properly marked and advertised as follows: on the Common side of West Street from the drinking fountain to the corner of Elm Street, also on Main Street from the drinking fountain to the corner of Common Street, Common side, cars to be backed in at right angles, locked and left safe.

SECTION 5. No automobile or other vehicle shall remain backed up to the curb, except when actually loading or unloading, and if it be a horse-drawn vehicle, the horses to be turned in the direction of traffic at right angles.

SECTION 6. Unless in an emergency or to allow another vehicle or pedestrian to cross a street, no automobile or other vehicle shall stop in any public street except close to the curb.

SECTION 7. No automobile or other vehicle shall stop in such a way as to obstruct any street, driveway or crossing, or within ten feet of any hydrant, or within twenty feet of any street corner, except in an emergency or on direction of a police officer of Walpole.

SECTION 8. The operator of a motor vehicle shall under no circumstances cut out the muffler, on a public street within the thickly settled part of the town or when passing any hospital or other institutions.

SECTION 9. An automobile or other vehicle in turning to the right into another street shall slow down and keep as near the right hand curb as possible and shall under no conditions attempt to pass another vehicle going in the same direction while turning the corner.

SECTION 10. An automobile or other vehicle in turning to the left into another street shall slow down and pass to the right of and beyond the center of the intersecting street before turning.

SECTION 11. The members and apparatus of the fire department, while going to a fire, or responding to an alarm, police patrol wagons, and ambulances, hospital ambulances, shall have the right of way through any street, way, lane or alley in the town of Walpole. No person or persons shall wilfully obstruct the passage of said vehicles.

SECTION 12. On the approach of any piece of fire apparatus, all vehicles on the highway, along which said apparatus is proceeding, shall drive to the extreme right hand side of the highway, stop and remain stationary until the fire apparatus has passed. No vehicle shall follow or approach within three hundred feet (300) of a piece of fire apparatus at a fire, except in case of special permission being granted by the chief of the fire department or officer in charge at the fire.

SECTION 13. No person or persons, driving or controlling an automobile or other vehicle shall permit it to be driven, backed, led, moved or allowed to stand on any sidewalk, except for the purpose of crossing the same when necessary, and then only the shortest way from the street abutting to the estate.

SECTION 14. Any police officer of Walpole in his dis-

cretion, may remove any automobile or other vehicle, left upon any street unattended, in violation of the town traffic laws or regulations to a garage or other safe place and there leave the same, the expense of moving and storing said vehicle to be paid by the owner.

SECTION 15. No person having charge of an automobile or other vehicle shall place the same, in any street so as to prevent or obstruct the passage of other vehicles.

SECTION 16. No person or persons driving or controlling any automobile or other vehicle, shall drive or allow to be driven over that part of any street which is being mended, repaired or paved if a watchman or signs are placed prohibiting same.

SECTION 17. No person or persons driving or controlling an automobile or other vehicle shall stop the same with the left side to the curb on any street in the town.

SECTION 18. Any person or persons driving or controlling an automobile or other vehicle, must stop the same so as not to interfere with or prevent the passing of pedestrians at street crossings.

SECTION 19. No person or persons driving or controlling an automobile or other vehicle shall permit it to stop or stand within the intersection of any street nor within twenty feet of any street corner, nor on any cross walk

SECTION 20. Persons driving or controlling slow moving vehicles shall keep as close as possible to the curb on the right, and on streets where there is no curb as far as possible to the right side of the street, so as to allow faster moving vehicles free passage to the left.

SECTION 21. No person or persons shall transfer merchandise from or to trucks or other vehicles, over the sidewalks by the use of skids or planks, except when such transfer is reasonably necessary and provided the sidewalk is not unreasonably obstructed, and this only for such period or time as is necessary, and any police officer of Walpole may order such skids or planks removed, and if not removed, may cause same to be done.

SECTION 22. No person or persons driving or controlling an automobile or other vehicle shall pass a school at a rate of speed exceeding fifteen miles an hour when children are

going to and from said school buildings in the town of Walpole, and shall comply with and obey the signals and orders of the person or persons who have been authorized to handle traffic at that point.

SECTION 23. No person or persons, having control of, or operating, an automobile or other vehicle shall stop or park the same in front of any fire station or in the limits of any highway within one hundred feet of any fire station in the town of Walpole except in case of emergency or on order of a police officer of Walpole.

ARTICLE X.

FIRE DEPARTMENT REGULATIONS.

SECTION 1. The chief of the fire department may, and upon complaint of a person having interest in any building or premises or property adjacent thereto, shall, at all reasonable hours, enter into buildings and upon premises within his jurisdiction and make an investigation as to the existence of conditions likely to cause fire. He shall in writing order such conditions, if existing, to be remedied and whenever such officer finds in any building or upon any premises any accumulation of combustible rubbish, including waste paper, rags, cardboard, string, packing material, sawdust, shavings, sticks, waste leather or rubber, broken boxes or barrels or other refuse that is or may become dangerous as a fire menace to such buildings or premises, he shall in writing order the same to be removed or such conditions to be remedied. Whoever refuses or neglects to comply therewith, shall be punished by a fine of not less than ten nor more than fifty dollars for each day during which such neglect or refusal continues.

ARTICLE XI.

REPEAL AND AMENDMENT OF BY-LAWS AND PENALTIES THEREUNDER.

SECTION 1. These by-laws may be repealed or amended at any annual town meeting or at any other town meeting specially called for the purpose, an article or articles for

such purpose having been inserted in the warrant for such meeting.

SECTION 2. Every violation of any of the provisions of the foregoing by-laws contained in Articles 6, 7, 8 and 9, unless otherwise provided by law or these by-laws, shall be punished by a fine of not less than five ($5) dollars nor more than twenty ($20) dollars for each violation or breach thereof.

SECTION 3. These by-laws shall go into effect upon their acceptance by the town and their approval and publication in the manner required by law, and all by-laws heretofore existing are hereby repealed.

A true copy of by-laws adopted.

KATHERINE J. HIGGINS,
Town Clerk of Walpole.

Boston, Mass., April 9, 1926.

The foregoing by-laws are hereby approved.

JAY R. BENTON,
Attorney General.

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